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8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 ALEXANDER DZHUGA,  
17 a/k/a Aleksandr Dhuga,  
a/k/a Aleksandr Dzhuga,  
18 LEONID DZHUGA,  
VLADIMIR A. SEMENOV,  
19 NATALIA IGOREVNA STADNIK,  
a/k/a Natalia Stadnik Dzhuga, and  
20 ARMOND TENNYSON TOLLETTE II,  
a/k/a Armond T. Tollette, Jr.,  
21

22 Defendants.  
23

No. CR 05-00589-JF

24  
25 STIPULATION AND ~~PROPOSED~~ <sup>RS</sup>  
26 ORDER TO CONTINUE TRIAL DATE  
27 AND EXCLUDE TIME UNDER THE  
28 SPEEDY TRIAL ACT FROM  
SEPTEMBER 22, 2005 TO NOVEMBER 2,  
2005

STIPULATION

1. On September 22, 2005, the parties in the above-captioned case appeared before the Court for their initial appearance in the Northern District of California before the Honorable Magistrate Judge Seeborg. The parties requested a continuance of the case until November 2,

ORDER  
CR 05-00589-JF

CHAMBER'S COPY  
**FILED**

NOV 15 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

2005 to allow: (1) the government to obtain a protective order for the discovery materials that may be subject to the Privacy Act, 5 U.S.C. § 552a, to 45 C.F.R. §§ 164.102–164.534, or to 42 U.S.C. § 1306, or other privacy protections; (2) the government to produce discovery to the defendant (upon receipt of a Rule 16 discovery request); and (3) to allow defense counsel adequate time to review discovery and prepare for trial. The parties agreed upon November 2, 2005 as the next date in part due to the unavailability of government counsel from September 24, 2005 through October 10, 2005. Additionally, the attorneys for defendants Tollette, Stadnik and Leo Dzhuga made special appearances, so additional time is necessary to allow these defendants to obtain counsel.

2. All counsel stipulated and agreed that time should be excluded from September 22, 2005 through and including November 2, 2005 from the Speedy Trial Act under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) in order to allow the defendants to obtain counsel as well as a reasonable amount of time for the defense to effectively prepare for trial, taking into account the exercise of due diligence.

SO STIPULATED.

DATED: 9/27/05

/s/  
 MARK J. WERKSMAN  
 Attorney for Defendant A. Dzhuga

DATED: 11/2/05

/s/  
 DMITRY Y. GUROVICH/ ELON BERK  
 Attorney for Defendants  
 L. Dzhuga and Natalia Stadnik

DATED:

/s/  
 MARK HARDIMAN  
 Attorney for Defendant V. Semenov

DATED: 10/24/05

/s/  
 CLIFFORD ROBINSON  
 Attorney for Defendant Tollette

DATED: 11/2/05

/s/  
 CANDACE KELLY  
 Assistant United States Attorney

ORDER  
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## ORDER

The Court finds that there is good cause for the extension of time described above, and that the ends of justice served by granting this continuance outweigh the best interests of the public and of the defendants in a speedy trial and the prompt disposition of criminal cases. 18 U.S.C. § 3161(h)(8)(A). The Court further finds that failure to grant the continuance would deny the defendants reasonable time to obtain counsel and would deny defense counsel the reasonable time necessary for effective preparation taking into account the exercise of due diligence and continuity of counsel under 18 U.S.C. § 3161(h)(8)(B)(iv).

Accordingly, and with the consent of the defendant, the Court continues the matter to November 2, 2005 for a status hearing before the Honorable Judge Fogel and orders that the period from September 22, 2005 through and including November 2, 2005 be excluded from the Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: 11/15/05

  
RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE